

WORK SESSION AGENDA

May 18, 2021

5:00 p.m.

The purpose(s) of the meeting shall be for the Commission to receive, consider, discuss, deliberate and debate the matters listed herein below and such other public business as may lawfully be undertaken provided that no formal votes are to occur and no matters or issues will be formally decided upon at this meeting.

- I. Presentation on new approved bills by Bridgett Raper (Phillips)
- II. REZONE 336 SWEETLAND ORD NO. 21-1190
- III. Any other business to discuss

City of Red Bank

Hollie Berry
Mayor

BOARD OF COMMISSIONERS MEETING

Tim Thornbury
City Manager

Agenda

May 18, 2021

6:00 p.m.

I. Call to Order – Mayor Hollie Berry

II. Roll Call – City Manager

Mayor Hollie Berry _____ Vice Mayor Stefanie Dalton _____, Commissioner Ruth Jeno _____,
Commissioner Ed LeCompte _____ Commissioner Pete Phillips _____

III. Invocation – Pastor Eddie Ellison, Middle Cross Baptist Church

IV. Pledge of Allegiance –

V. Consideration of the Minutes for approval or correction:

- A. May 4, 2021 Agenda Work Session
- B. May 4, 2021 Commission Meeting
- C. May 7, 2021 Special Called Commission Meeting
- D. May 10, 2021 Special Called Commission Meeting
- E. May 11, 2021 Budget Workshop
- F. May 11, 2021 Special Called Commission Meeting

VI. Communication from the Mayor

VII. Commissioner's Report

- A. Vice Mayor Stefanie Dalton
- B. Commissioner Ruth Jeno
- C. Commissioner Ed LeCompte
- D. Commissioner Pete Phillips

VIII. City Manager Report

IX. PUBLIC HEARINGS

- 1. Rezoning request for 336 Sweetland Drive, Hamilton County Tax Map 126C Group F
Parcel 10, from R-1 Residential to R-3 Residential

X. Unfinished Business

A) AGENDA ITEM NO. 21-856 FOR DELIBERATION AND VOTE

- 1. EMPLOYMENT CONTRACT FOR CURRENT CITY MANAGER; ALL MATTERS
RELATED TO CITY MANAGER THORNBURY'S EMAIL DATED APRIL 16, 2021;
AMENDING CITY MANAGER EMPLOYMENT AGREEMENT
- 2. CONSIDERATION OF THE MINUTES OF THE SPECIAL CALLED MEETING ON APRIL
26, 2021 FOR APPROVAL OR CORRECTION
- 3. MTAS – RECRUITMENT AND HIRING PROCESS FOR A NEW CITY MANAGER
- 4. SELECTION, APPOINTMENT AND COMPENSATION FOR INTERIM CITY MANAGER

- B) ORDINANCE NO. 21-1189 AN ORDINANCE OF THE CITY OF RED BANK, TENNESSEE, TO AMEND THE FY 2021 OPERATING BUDGET, BEGINNING JULY 1, 2020 AND ENDING JUNE 30, 2021 IN ORDER TO APPROPRIATE UNBUDGETED EXPENDITURES AND GRANT FUNDING (second and final reading)**

XI. New Business

- A) ORDINANCE NO. 21-1190 AN ORDINANCE OF THE CITY OF RED BANK, TENNESSEE, AMENDING THE ZONING ORDINANCE AND MAPS OF THIS CITY TO REZONE PROPERTY LOCATED AT 336 SWEETLAND DRIVE FROM R-1 RESIDENTIAL TO R-3 RESIDENTIAL PURSUANT TO CERTAIN RESTRICTIONS (first reading)**

**XII. Citizen Comments from Red Bank Citizens
(3 minute limit)**

XIII. Adjournment

"Any invocation that may be offered before the official start of the Commission meeting shall be the voluntary offering of a private citizen, to and for the benefit of the Commission. The views or beliefs expressed by the invocation speaker have not been previously reviewed or approved by the Commission and do not necessarily represent the religious beliefs or views of the Commission in part or as a whole. No member of /the community is required to attend or participate in the invocation and such decision will have no impact on their right to actively participate in the business of the Commission."

City of Red Bank

Hollie Berry
Mayor

Tim Thornbury
City Manager

COMMISSIONERS AGENDA WORK SESSION

Minutes
May 4, 2021
5:00 p.m.

The Board of Commissioners met in a public and duly advertised Agenda Work Session on May 4, 2021 at 5:00 p.m. The date, time and location of the meeting were advertised in the Chattanooga Times Free Press on the City's Facebook page and on the City of Red Bank website together with instructions and an internet link to enable virtual attendance by the public. The purpose of the meeting was to receive information on upcoming business items. Those in attendance were Mayor Hollie Berry, Vice Mayor Stefanie Dalton, Commissioner Ruth Jenó, Commissioner Ed LeCompte and Commissioner Pete Phillips. Also present were City Manager Tim Thornbury, City Attorney Arnold Stulce, Jr., City Recorder Tracey Perry and those listed on Exhibit A.

- I. Marty Haynes, Hamilton County Assessors of Property, was present and did a presentation on the 2021 Property Value Reappraisals. Visit Sales.Hamiltontn.gov for comparable sales near your home. Call 423-209-7990 or email Assessor@hamiltontn.gov with questions or concerns. The state required certified rate adjustment should result in no net tax increase this year across the whole County unless the County or Red Bank acts to raise the tax rate. Red Bank had the highest County-wide increase, by percentages, of property values over the last four years.
- II. City Manager Thornbury announced that the FY 21-22 Budget will be presented to the Board at tonight's Regular Commission Meeting.
- III. City Manager Thornbury announced that an Ordinance will be presented at tonight's Regular Meeting to allow for budget amendments resulting from unplanned grants, donations and expenditures. This is a "housekeeping" item, involving matters already acted on and approved by the Commission.
- IV. City Manager Thornbury announced that a Resolution will be presented tonight to declare Police Department pistols as surplus property in order to trade for new pistols for the Police Department. This is a "housekeeping" item.
- V. City Manager Thornbury advised that a Resolution will be presented to allow the City to issue a Certificate of Compliance to Local Slice / Pizzeria Cortile, as that relates to its state issued license to sell on premise alcoholic beverages. Some discussion by the Board ensued.
- VI. Any other business – Mayor Berry presented a revised City Manager job description to the Board and advised that MTAS is awaiting notice to proceed. Some discussion by the Board. Commissioners Jenó and Phillips requested to allow a few days to review the revised job description before emailing MTAS. Mayor Berry called a Special Meeting on Friday May 7, 2021 at 4:15 pm to deliberate and vote on retention of Attorney John Harrison of Evans, Harrison, and Hackett as Special Legal Counsel. More discussion

occurred regarding the Special Called Meeting on April 26, 2021 and the resulting vote(s). Commissioner Jenó and Commissioner Phillips called a Special Called Meeting to deliberate and vote on all the topics discussed at the Special Called Meeting on April 26, 2021. The Special Called Meeting will be held on Tuesday May 11, 2021 at 6:00 pm

The meeting was adjourned at 5:55 p.m.

Mayor Hollie Berry

Date

City Recorder Tracey Perry

Date

BOARD OF COMMISSIONERS MEETING

Minutes
May 4, 2021
6:00 p.m.

- I. **Call to Order** – Mayor Hollie Berry called the meeting to order at 6:00 p.m.
- II. **Roll Call** – City Manager Tim Thornbury called the roll. Mayor Berry, Vice Mayor Stefanie Dalton, Commissioner Ruth Jenó, Commissioner Ed LeCompte, and Commissioner Pete Phillips were present. Also present was City Attorney Arnold Stulce, Jr., City Recorder Tracey Perry, Police Chief Dan Seymour and those listed on Exhibit A.
- III. **Invocation – presented by Pastor Sam Greer, Red Bank Baptist Church**
Pastor Greer thanked the community for their help and support with the food donation program.
- IV. **Pledge of Allegiance – led by Chief Dan Seymour**
- V. **Consideration of the Minutes for approval or correction:**
 - A. **April 20, 2021 Agenda Work Session**
Commissioner LeCompte made a motion to approve the minutes as printed, seconded by Commissioner Phillips. Motion carried with all Commissioners voting “yes”.
 - B. **April 20, 2021 Commission Meeting**
Mayor Berry requested revisions of incorrect names in the minutes. Vice Mayor Dalton made a motion to approve the minutes as amended, seconded by Commissioner Jenó. Motion carried with all Commissioners voting “yes”.
- VI. **Communication from Mayor Hollie Berry**
 - Today is International Firefighter Day. She commends Chief Mark Mathews for his 45 years of service and his upcoming retirement.
 - Tennessee American Water has approved the \$2500 grant for cleaning up Stringers Branch.
 - We have been advised that the Special Called Meeting on April 26, 2021 was not properly noticed in 48 hours advanced notice. Mayor Berry called for a Special Called Meeting on May 7, 2021 at 4:15 pm to consider retaining Evans, Harrison and Hackett. Commissioners Jenó and Phillips called a second Special Called Meeting for May 11, 2021 at 6:00 pm to address the topics addressed at the April 26 Special Called Meeting with the addition of Deliberation and Vote.
 - The Blue Bird Trail and Tri-State Bluebird Society will be giving a presentation at White Oak Park, upper pavilion, on Saturday May 8, 2021 from 11:00 to 12:00.
 - Thanked the parents and volunteers that came out and helped to refresh the garden beds at Red Bank Elementary on May 1, 2021.
 - The Recycling Survey is now closed in preparation for budget discussions. Based on the approximately 1,600 responses out of 4,382 households in Red Bank, here are the results:
 - 79% of respondents currently recycle
 - 87% of respondents are “very interested”
 - 88% of respondents consider the \$3/month a good value
 - 75% of respondents currently use the Hamilton County Recycle Center

- 72% of respondents list the lack of curbside recycling as the reason they don't recycle
 - 84% of respondents say they generate the same or more recyclables than non-recyclables
 - 14% currently contract with private recycling pick-up, with 5% still utilizing the Recycling Center
- The Hamilton County Recycling Center located in Red Bank will only be taking plastics #1 and #2 as of May 1.
 - The Hamilton County Mask Mandate has ended. However it is still recommended to wear a mask when indoors where unvaccinated people may be present.
 - The next Red Bank Community Food Drive will be May 6, from 5:00 to 6:00 pm at the Red Bank United Methodist Church.

VII. Commissioner's Reports

A. Vice Mayor Stefanie Dalton

- Welcomed everyone.
- This month is Asian-American / Pacific Islander Month. She would like to recognize and celebrate any local Asian-American or Pacific Islander businesses for all of their contributions to our community.
- Recognized Brandi Adams, Red Bank Elementary's Instructional Coach, for her award as Extraordinary Educator of which she is one of only 44 educators across the country.
- This week is Teacher Appreciation Week.
- Red Bank Elementary and Red Bank Middle School wish to thank Food City, Save A Lot, BeCaffeinated and Amigos here in Red Bank for contributing to help with the Teacher Appreciation efforts.
- Thanked Cushla's Cuisine for offering a discount to all teachers.
- Thanked the citizens that have reached out with concerns about the April 26 Special Called Meeting. In order to provide clarity and context, the City Manager's April 16 email and excerpts of the City Charter concerning Special Called Meetings were read aloud. Mr. Thornbury voluntarily resigned his post. He has been an asset to our City and I wish him all the best luck. Confident that current administration staff will keep all current projects moving forward. Recommends that the City contract with him on a negotiated hourly rate for a specific amount of time, as has been the custom of the City and which is the fiscally responsible arrangement for the City and our taxpayers. Mr. Thornbury's current proposal will cost our taxpayers over \$10,000/month through March 31, 2022. The City had no legal representation during the April 26 meeting because Mr. Stulce had recused himself and Signal Mountain Attorney Harry Cash, though present, had not been formally retained. The April 26 meeting was to discuss, but not formally vote on Mr. Thornbury's proposal. Adequate notice was not given for the April 26 meeting. Another meeting is scheduled for deliberation and vote on Mr. Thornbury's proposal after retaining counsel. Citizens should contact their elected representative with concerns.

B. Commissioner Jeno

- Welcomed everyone.
- Special thanks to Pastor Greer.
- Issued a public apology to Mayor Berry for the unintentional interruption that occurred at the April 20 Work Session Meeting.
- Tomorrow, May 5, is National Prayer Day. Area pastors and citizens will gather at the Hamilton County Courthouse at noon.
- Concerned about the April 26 Special Called Meeting. Discussed the duties of the City Manager and the Commissioners. Recited some of City Manager Thornbury's

accomplishments and contributions to the City. John Alexander is a very talented man, but he can't do it all. Retaining Tim will ensure the City will keep moving forward during the transition.

- Thanked Mr. Thornbury for his 35 years of service.
- Welcomed all former Commissioners present tonight, the Cooley family, Fairbanks family and many other long-time residents for showing up in support of Mr. Thornbury.

C. Commissioner LeCompte

- Welcomed everyone.
- Thanked Commissioner Jeno for her informative report.
- Thanked former Commissioners for their presence tonight.

D. Commissioner Phillips

- Thanked everyone for coming tonight, especially Red Bank Baptist Church pastor.
- Recognized Mark Mathews for 45 years and Tim Thornbury for 35 years of service.
- This Commission is taking a step backward. Important things that were brought up early in the year, have not been mentioned again. Listed some of his priorities and what should be the priorities of the Commission. City needs to have a plan with measurable goals and a vision. Board time is for City business.
- Members of the members of the Board should involve the City Manager when directly discussing day to day operations with employees.
- The Board needs to work together.

VIII. City Manager Report

- Thanked Mark Mathews for his 45 years of service.
- Read aloud his position on the situation surrounding his proposed Separation Agreement. Stated that he will continue to come to work until the Agreement is voted on.

IX. UNFINISHED BUSINESS

A) ORDINANCE NO. 21-1188 AN ORDINANCE OF THE CITY OF RED BANK, TENNESSEE ESTABLISHING PROCESSES AND PROCEDURES WITH RESPECT TO THE SALE, DEVELOPMENT AND DISPOSITION OF REAL PROPERTY, CODIFIED IN THE RED BANK CITY CODE IN THE APPENDIX, CHAPTER F, THEREOF AND ASSIGNED THE TITLE: SALE, DEVELOPMENT AND DISPOSITION OF REAL PROPERTY (second and final reading)

Vice Mayor Dalton made a motion to approve, seconded by Commissioner Jeno. Some discussion ensued. No citizen comments. Roll Call Vote: Mayor Berry "yes", Vice Mayor Dalton "yes", Commissioner Jeno "yes", Commissioner LeCompte "yes" and Commissioner Phillips "no". Ordinance No. 21-1188 was approved on second and final reading with four of five commissioners voting "yes".

X. NEW BUSINESS

A) AGENDA ITEM NO. 21-855 FY 21-22 BUDGET PRESENTATION

City Manager Thornbury gave a brief summary of the proposed FY 21-22 budget; announced the Budget Hearing dates as May 11 at 4:15 pm, May 19 at 4:15 pm and May 24 at 4:15 pm and the public is invited to attend; and presented printed copies of the proposed budget to the Board. No discussion.

B) ORDINANCE NO. 21-1189 AN ORDINANCE OF THE CITY OF RED BANK, TENNESSEE, TO AMEND THE FY 2021 OPERATING BUDGET, BEGINNING JULY 1, 2020 AND

ENDING JUNE 30, 2021 IN ORDER TO APPROPRIATE UNBUDGETED EXPENDITURES AND GRANT FUNDING (first reading)

City Manager Thornbury explained that this is a housekeeping item to account for unplanned funding, grants and expenditures, matters the Commission has already considered and acted on. No discussion. Commissioner Jeno made a motion to approve, seconded by Commissioner Phillips. No discussion. Roll Call Vote: Mayor Berry "yes", Vice Mayor Dalton "yes", Commissioner Jeno "yes", Commissioner LeCompte "yes" and Commissioner Phillips "yes". Ordinance No. 21-1189 was approved on first reading with all commissioners voting "yes".

C) RESOLUTION NO. 21-1404 A RESOLUTION DECLARING CITY OWNED PERSONAL PROPERTY AS SURPLUS AND AUTHORIZING THE SALE, TRADE OR DESTRUCTION THEREOF

City Manager Thornbury explained the intent of the Resolution. Commissioner Jeno made a motion to approve, seconded by Vice Mayor Dalton. Some discussion ensued. There were no citizen comments. Resolution No. 21-1404 was approved with all Commissioners voting "yes".

D) RESOLUTION NO. 21-1405 A RESOLUTION AUTHORIZING THE MAYOR TO SIGN A CERTIFICATE OF COMPLIANCE FOR LOCAL SLICE, LLC dba PIZZERIA CORTILE, 4400 DAYTON BOULEVARD, RED BANK, TENNESSEE

City Manager explained the intent of the Resolution that the state liquor license meets the limited requirements and standards that the City is able to regulate. Commissioner Jeno made a motion to approve, seconded by Commissioner LeCompte. No discussion. There were no citizen comments. Resolution No. 21-1405 was approved with all Commissioners voting "yes".

XI. Citizen Comments from Red Bank Citizens

Stephen Olmstead, 3316 Martin Ave – Expressed concern with what is going on in the City.

Molly Johnson, 5350 Hunter Trail – Supports Mr. Thornbury. Suggested streaming the meetings to allow viewing from home and was advised that meetings are currently live-streamed on YouTube.

Jamie Harvey, 2409 Ashmore Ave – The National Day of Prayer is actually Thursday. Wanted the Board to know that they are prayed for every day.

Jeff Price, 4507 McCahill Rd – Expressed being bothered by this whole meeting. Inquired on the recourse available to the citizens if people on the Board are operating outside their scope.

Daniela Peterson, 3005 James Ave – She sees this situation as a good thing – it is bringing neighbors together to express what they think. Asked if the City was going to pay a year during the transition of every long-time employee.

Kathy Lennon, 401 Crisman St – She asked if Mr. Thornbury had brought his concerns to anyone prior to resigning. She suggested that an outside source provide training to the Board on how to better handle the situation in which they currently find themselves.

John Lennon, 401 Crisman St – Stated that the Board does not know what they are doing. Disagrees with using the meeting to air personal grievances.

Anne Wheeler, 427 Antelope Trail – Asked how many meetings does the City schedule without legal counsel, and why would you do that? It was explained that the Board was under the impression that City Attorney Arnold Stulce had asked Signal Mountain Attorney Harry Cash to sit in at the Special Called Meeting, but should have been approved by the Board to have been considered legal counsel.

Keith Smith, 4705 Hunter Trail – Concerned about the current direction of the City Commission.

Johnathan Swiger, potentially moving an office to Red Bank – Says that after what he has heard at this meeting, he has nothing but fear and is no longer comfortable with investing in Red Bank.

Jeff Cannon, 405 Martin Rd –Does not feel his tax dollars should be used as a “Hand-out” for our friends.

Molly Johnson, 5350 Hunter Trail – States that Mr. Thornbury is offering services for two other positions for the next 10 months.

John Roberts, 3311 Martin Rd - Spoke in support of the entire City and the value of each employee. Asked Mr. Thornbury to reconsider. Continue to move forward.

Rick Causer, 3802 Pickering Ave – Spoke in support of Mr. Thornbury.

Tyler Kraha, 2711 Berkley Dr -- There is tension amongst the Board that needs to be resolved. Expressed disappointment with his perceived lack of community related involvement by some of the Commissioners.

Mary Ingram, 200 California Ave – Was involved with the Red Bank Neighborhood Pride Association – Both Commissioners Jenó and LeCompte were heavily involved.

Tyler Howell, 3303 Lamar Ave – Spoke in support of Mr. Thornbury while listing his many contributions to the City.

Carter Wexler, small business owner in Red Bank – asked how we are announcing Special Meetings. Mayor Berry advised they are posted on the City website, the City Facebook page, posted on the front door of City Hall, and if time allows, in the newspaper.

Greg Jones, 113 Culver St –Frustrated about how things are going in the City. Here in support of Mr. Thornbury.

Peggy Roe, 3102 Easton Ave – Concerned about the current direction of the City Commission.

XII. Adjournment

A motion to adjourn was made by Commissioner Jenó, seconded by Commissioner LeCompte. Motion carried with all Commissioners voting “yes”. The meeting was adjourned at 7:44 p.m.

Mayor Hollie Berry

Date

City Recorder Tracey Perry

Date

Hollie Berry
Mayor

Tim Thornbury
City Manager

City of Red Bank
**SPECIAL CALLED
BOARD OF COMMISSIONERS' MEETING**
Minutes
May 7, 2021
4:15 p.m.

- I. **Call to Order** – Mayor Berry called the meeting to order at 4:15 p.m.
- II. **Roll Call** – City Manager Tim Thornbury called the roll. Mayor Berry, Vice Mayor Stefanie Dalton, Commissioner Ruth Jenó, Commissioner Ed LeCompte, and Commissioner Pete Phillips were present. Also present was City Attorney Arnold Stulce, Jr; City Recorder Tracey Perry; and those listed on Exhibit A.
- III. **Invocation** – Mayor Berry led a time of silence
- IV. **Pledge of Allegiance** – City Manager Thornbury led the Pledge of Allegiance
- V. **ITEMS FOR DELIBERATION AND VOTE**
 - A. **RESOLUTION NO. 21-1407 A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF RED BANK, TENNESSEE, AUTHORIZING RETENTION OF THE SERVICES OF SPECIAL COUNSEL ATTORNEY JOHN HARRISON RETAINING EVANS, HARRISON, HACKETT AS SPECIAL LEGAL COUNSEL FOR ALL MATTERS RELATED TO CITY MANAGER THORNBURY'S EMAIL AND "SEPARATION AGREEMENT" DATED APRIL 16, 2021** Vice Mayor Dalton made a motion to approve, seconded by Mayor Hollie Berry. Discussion ensued. Resolution No. 21-1407 failed with a vote of 2 "ayes" and 3 "nos".
- VI. **Citizen Comments from Red Bank Citizens (3 minute limit)**

Lawrence Miller, 130 Peace St – Suggested a resolution letter, rather than a resignation letter would have reduced confusion

Jamie Harvey, 2409 Ashmore Ave – Mr. Thornbury's actions are a reaction to the things that have occurred

A special called meeting was called for Monday, May 10, 2021 at 11 a.m. by Commissioners Jenó and LeCompte for the purpose of deliberation and a vote for retaining legal counsel with a choice of Evans, Harrison, Hackett or Litchford, Pearce and Associates – notice to be posted on the City's website, Facebook

page, City Hall and the Post Office. Timing does not permit publication of Notice in the newspaper.

VI. ADJOURNMENT

Vice Mayor Dalton made a motion to adjourn the meeting, seconded by Commissioner LeCompte. The meeting was adjourned at 5:14 p.m.

Mayor Hollie Berry

City Recorder Tracey Perry

Hollie Berry
Mayor

City of Red Bank
SPECIAL CALLED
BOARD OF COMMISSIONERS' MEETING
Minutes
May 10, 2021
11:00 a.m.

Tim Thornbury
City Manager

I. Call to Order – Mayor Berry called the meeting to order at 11 a.m.

II. Roll Call – City Manager Tim Thornbury called the roll. Mayor Berry, Vice Mayor Stefanie Dalton, Commissioner Ruth Jenó, Commissioner Ed LeCompte, and Commissioner Pete Phillips were present. Also present was City Attorney Arnold Stulce, Jr.; City Recorder Tracey Perry; and those listed on Exhibit A.

III. Invocation – reverent time of silence led by Mayor Berry

IV. Pledge of Allegiance – led by City Manager Thornbury

V. ITEMS FOR DELIBERATION AND VOTE

A. RESOLUTION NO. 21-1408 A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF RED BANK, TENNESSEE, AUTHORIZING RETENTION OF THE SERVICES OF SPECIAL COUNSEL FOR ALL MATTERS RELATED TO CITY MANAGER THORNBURY'S EMAIL AND "SEPARATION AGREEMENT" DATED APRIL 16, 2021

- **RETAINING EVANS, HARRISON, HACKETT AS SPECIAL LEGAL COUNSEL**

Mr. Harrison was present at a previous meeting to advise of his experience and answer any questions from the Board.

OR

- **RETAINING LITCHFORD, PEARCE AND ASSOCIATES AS SPECIAL LEGAL**

COUNSEL Mr. Litchford was present to advise of his experience and answer any questions from the Board. Mr. Litchford did complete a conflict check and came back as "No Conflict". Mr. Litchford stated his rate would be the same as our current City Attorney's rate and there would not be a retainer fee. Discussion with the Board ensued. Commissioner Jenó made a motion to approve retention of Litchford, Pearce and Associates, seconded by Commissioner LeCompte.

Resolution No. 21-1408 passed with all Commissioners voting "yes".

VI. Citizen Comments from Red Bank Citizens
(3 minute limit)

No citizen comments.

VI. ADJOURNMENT

Commissioner Jeno made a motion to adjourn the meeting, seconded by Commissioner Phillips. Roll Call Vote: Mayor Berry "yes", Vice Mayor Dalton "yes", Commissioner Jeno "yes", Commissioner LeCompte "yes" and Commissioner Phillips "yes". The meeting was adjourned at 11:15 a.m.

Mayor Hollie Berry

City Recorder Tracey Perry

City of Red Bank
BUDGET WORKSHOP
Minutes
May 11, 2021
4:15 p.m.

I. Call to Order – Mayor Berry called the workshop to order at 4:17 p.m.

II. Roll Call – Mayor Berry, Vice Mayor Stefanie Dalton, Commissioner Ruth Jeno, Commissioner Ed LeCompte, and Commissioner Pete Phillips were present. Also present was City Recorder Tracey Perry, Finance Director John Alexander, Police Chief Dan Seymour, Fire Chief Mark Mathews, Deputy Fire Chief Brent Sylar and those listed on Exhibit A.

V. ITEMS FOR DISCUSSION

DISCUSSION OF PROPOSED FISCAL YEAR 2021-2022 BUDGET

- Finance Director Alexander presented the proposed budget for the following: General Fund Revenues, Finance, Administration, Judicial, Legislative and Insurance.
- Chief Seymour presented the proposed budget for the following: General Fund Police Department, Drug Fund and Impound Fund.
- Deputy Chief Sylar presented the proposed budget for the following: General Fund Fire Department.
- General discussion amongst the Board ensued.

VI. ADJOURNMENT

Commissioner Jeno made a motion to adjourn the workshop, seconded by Commissioner LeCompte. The workshop adjourned at 5:31 p.m.

Mayor Hollie Berry (date)

City Recorder Tracey Perry (date)

Hollie Berry
Mayor

City of Red Bank
SPECIAL CALLED
BOARD OF COMMISSIONERS' MEETING
Minutes
May 11, 2021
6:00 p.m.

Tim Thornbury
City Manager

I. **Call to Order** – Mayor Berry called the meeting to order at 6:00 p.m.

II. **Roll Call** – City Manager Tim Thornbury called the roll. Mayor Berry, Vice Mayor Stefanie Dalton, Commissioner Ruth Jenó, Commissioner Ed LeCompte, and Commissioner Pete Phillips were present. Also present was City Attorney Arnold Stulce, Jr.; Special Counsel for the City; Attorney Mark Litchford, Special Counsel for Tim Thornbury, Attorney Sam Elliott and City Recorder Tracey Perry; and those listed on Exhibit A.

III. **Invocation** – reverent time of silence led by Mayor Berry

IV. **Pledge of Allegiance** – led by City Manager Thornbury

V. **ITEMS FOR DELIBERATION AND VOTE**

A. **EMPLOYMENT CONTRACT FOR CURRENT CITY MANAGER; ALL MATTERS RELATED TO CITY MANAGER THORNBURY'S EMAIL AND "SEPARATION AGREEMENT" DATED APRIL 16, 2021**

Mayor Berry, after being informed by Special Counsel Mark Litchford that, by contract, this item can only be amended at a regularly scheduled Commission Meeting, made a motion to table this item until the next regularly scheduled Commission Meeting, seconded by Vice Mayor Dalton. Special Counsel Mark Litchford also explained that the consideration of this item can proceed if both parties waive the restriction; Attorney Sam Elliott stated that he and Mr. Thornbury are willing to waive that restriction. Discussion by the Board ensued, including reference to an amended proposal delivered to Attorney Litchford this afternoon. Motion to table the item carried with 4 Commissioners voting "yes" and 1 voting "no".

B. **MTAS – RECRUITMENT AND HIRING PROCESS FOR A NEW CITY MANAGER**

Mayor Berry advised that Honna Rogers, of MTAS, gave a presentation previously explaining how they could assist in the recruiting and hiring of a new City Manager. Upon request from Mayor Berry, City Attorney Stulce advised that it would be best to table all items related to the April 26, 2021 meeting until all items can be voted on. Commissioner Jenó made a motion to table this item until the next regularly scheduled Commission Meeting, seconded by Commissioner LeCompte. Motion to table this item carried with all Commissioners voting "yes".

C. **SELECTION, APPOINTMENT AND COMPENSATION FOR INTERIM CITY MANAGER**

Vice Mayor Dalton made a motion to table this item until the next regularly scheduled Commission Meeting, Seconded by Commissioner Jenó. Motion to table this item carried with all Commissioners voting "yes".

VI. **Citizen Comments from Red Bank Citizens**
(3 minute limit)

- **Nell Reed**, 3808 Oakland Terrace – expressed that it would be a great disservice to the City to approve the agreement as presented
- **Lori Kyle**, 3506 Redding Rd – Concurred with Ms. Reed, suggested finding a City Manager with the same skills as Mr. Thornbury, we need to stop being divisive
- **Lawrence Miller**, 130 Peace St – inquired about the existence of a Human Resources policy
- **Carol Rose**, -- explained her confidence in Mr. Thornbury's ability and willingness to do what is best for the City, regardless of his work-load
- **Don McKenzie**, 110 Brentwood Dr – requested that the new document be made available to the public so that citizens can be aware of what the Board is up against. Special Counsel Mark

Litchford advised that waiving Client/Attorney privilege to do this would open all documents, emails, correspondence concerning this item up to public record.

VII. ADJOURNMENT

Vice Mayor Dalton made a motion to adjourn the meeting, seconded by Commissioner Jeno. The meeting was adjourned at 6:35 p.m.

Mayor Hollie Berry (date)

City Recorder Tracey Perry (date)

Hollie Berry
Mayor

City of Red Bank
SPECIAL CALLED
BOARD OF COMMISSIONERS' MEETING
Minutes
April 26, 2021
5:00 p.m.

Tim Thornbury
City Manager

- I. **Call to Order** – Mayor Berry called the meeting to order at 5:05 p.m.
- II. **Roll Call** – City Manager Tim Thornbury called the roll. Mayor Berry, Vice Mayor Stefanie Dalton, Commissioner Ruth Jenó, Commissioner Ed LeCompte, and Commissioner Pete Phillips were present. Also present was City Attorney Arnold Stulce, Jr; Special Counsel for the City of Red Bank, Attorney Harry Cash; City Recorder Tracey Perry; and those listed on Exhibit A.
- III. **Invocation** – Mayor Berry led a time of silence
- IV. **Pledge of Allegiance** – City Manager Thornbury led the Pledge of Allegiance
- V. **ITEMS FOR DISCUSSION**
 - A. **EMPLOYMENT CONTRACT FOR CURRENT CITY MANAGER**

Mayor Berry thanked Mr. Thornbury for 35 years of service. Mayor Berry clarified that the Commission's intent is to discuss the Letter of Resignation submitted by Mr. Thornbury. She went on to explain the reason she is opposed to accepting said letter. Commissioner Phillips explained the reasons he is in favor of accepting said letter and made a motion to approve the letter, seconded by Commissioner Jenó. Vice Mayor Dalton also thanked Mr. Thornbury for 35 years of service and she is appreciative of the offer to assist as needed. She is however opposed to accepting said letter and discussed her reasoning including a preference for an hourly rate for continued transition and consulting services. Commissioner Jenó thanked Mr. Thornbury for all of his service and explained the reasons she is in favor of accepting said letter. Commissioner LeCompte thanked Mr. Thornbury for his years of service and stated he is in favor of accepting said letter. Commissioner LeCompte called for a vote on approving the agreement letter as written/ Roll Call Vote: Mayor Berry "no", Vice Mayor Dalton "no", Commissioner Jenó "yes", Commissioner LeCompte "yes" Commissioner Phillips "yes". Motion carried with three of five Commissioners voting "yes".
 - B. **MTAS – RECRUITMENT AND HIRING PROCESS FOR A NEW CITY MANAGER**

Honna Rogers from Municipal Technical Advisory Service (MTAS) made a presentation on the options MTAS offers to help in screening, selection and hiring process for a new City Manager. There is no cost for MTAS assistance. All members of the Board indicated an intent to utilize the services that MTAS offers.
 - C. **SELECTION, APPOINTMENT AND COMPENSATION FOR INTERIM CITY MANAGER**

Vice Mayor Dalton, indicating City Recorder John Alexander, who has served previously as interim city manager has agreed to do so again if appointed, made a motion to appoint John Alexander as Interim City Manager, seconded by Commissioner Jenó. Roll Call Vote: Mayor Berry "yes", Vice Mayor Dalton "yes", Commissioner Jenó "yes", Commissioner LeCompte "yes" and Commissioner

Phillips "yes". Motion passed with all Commissioners voting "yes". Discussion ensued regarding compensation. Vice Mayor Dalton made a motion to increase Mr. Alexander's salary to match that of the current City Manager, effective May 8, and until a new City Manager is hired, seconded by Mayor Berry. Roll Call Vote: Mayor Berry "yes", Vice Mayor Dalton "yes", Commissioner Jeno "yes", Commissioner LeCompte "yes" and Commissioner Phillips "yes". Motion passed with all Commissioners voting "yes".

**VI. Citizen Comments from Red Bank Citizens
(3 minute limit)**

Jamie Harvey, 2409 Ashmore Avenue - thanked the Commissioners for having faith in Mr. Thornbury

Kathy Lennon, 401 Crisman Street - thanked Mr. Thornbury for his years of service. Expressed disappointment in the vote regarding approval of Mr. Thornbury's continued employment terms.

Don McKenzie, 110 Brentwood Drive – expressed confusion and displeasure with the actions of the Commission this evening.

Tyler Kraha, 2711 Berkley Drive – expressed his disagreement with the actions of the Commission regarding City Manager Thornbury.

Jeff Cannon, 405 Martin Road – expressed his shock that the City would use tax payer money in this way

Chris Wood, 3601 Dayton Boulevard – expressed concern that citizens were not able to be heard before these decisions were made

Cynthia Herron, 409 Marlow Drive – thanked the commissioners that voted to accept Mr. Thornbury's contract to ensure continuity

There were no further citizen's comments.

VI. ADJOURNMENT

Commissioner Jeno made a motion to adjourn the meeting, seconded by Commissioner LeCompte. Roll Call Vote: Mayor Berry "yes", Vice Mayor Dalton "yes", Commissioner Jeno "yes", Commissioner LeCompte "yes" and Commissioner Phillips "yes". The meeting was adjourned at 6:23 p.m.

Mayor Hollie Berry

City Recorder Tracey Perry

ORDINANCE NO. 21-1189

AN ORDINANCE OF THE CITY OF RED BANK, TENNESSEE, TO AMEND THE FY 2021 OPERATING BUDGET, BEGINNING JULY 1, 2020 AND ENDING JUNE 30, 2021 IN ORDER TO APPROPRIATE UNBUDGETED EXPENDITURES AND GRANT FUNDING

WHEREAS, the City of Red Bank approved Ordinance No. 20-1170, the Fiscal Year 2021 appropriations ordinance, on June 16, 2020 ; and

WHEREAS, the City of Red Bank has experienced unplanned situations which required various unbudgeted expenditures in Fiscal Year 2021; and

WHEREAS, it is necessary for the City of Red Bank to request Commission approval to amend the FY 2021 Operating Budget for items which have exceeded budgeted appropriations, were not anticipated, or are carry-over items from the previous fiscal year; and

WHEREAS, the City of Red Bank had several other revenue sources to offset these encumbrances, including grant and donation funding from various sources; and

NOW, THEREFORE, BE IT ORDAINED, by the Commission of the City of Red Bank, Tennessee as follows:

SECTION 1: that the Fiscal Year 2021 Operating Budget be and is hereby amended as provided:

GENERAL FUND
REVENUES

Grant Revenue	\$111,238.00
Fund Balance	\$874,448.00

TOTAL REVENUES	<u>\$ 985,686.00</u>
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EXPENDITURES

Public Works	
Fair St. ROW-1/2	\$207,409.00
<i>-Wiser Engineering</i>	\$42,499.00
Laurel Drive-Bridge	\$150,000.00
Valley View Ave.-Bridge	\$120,000.00
<i>-Wiser Engineering</i>	\$9,340.00

Legislative	
3113 Dayton Blvd Purchase	\$399,538.00

Administration	
Vacation Payout	\$33,900.00

Police Department	
<i>Norfolk Charitable Grant</i>	\$5,000.00
<i>HIDTA Grant</i>	\$18,000.00

TOTAL EXPENDITURES	<u>\$ 985,686.00</u>
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STATE STREET AID
REVENUES

Grant Revenue	\$276,595.00
Fund Balance	\$97,860.00
TOTAL REVENUES	<u>\$ 374,455.00</u>

EXPENDITURES

<i>TIP Paving PIN 121881</i>	\$26,177.00
<i>TIP Sidewalks PIN 116152</i>	\$162,180.00
Emergency Repair-Fair St. ROW-1/2	\$186,098.00
TOTAL EXPENDITURES	<u>\$ 374,455.00</u>

SECTION 2. This Ordinance shall take effect upon the date of its passage upon second and final reading, the welfare of the citizens of the City of Red Bank requiring it.

ATTEST:

Mayor Hollie Berry (DATE)

City Recorder Tracey Perry (DATE)

May 4, 2021

Passed on First Reading

Passed on Second and Final Reading

Approved as to Form:

City Attorney (DATE)

ORDINANCE NO. 21-1190

AN ORDINANCE OF THE CITY OF RED BANK, TENNESSEE, AMENDING THE ZONING ORDINANCE AND MAPS OF THIS CITY TO REZONE PROPERTY LOCATED AT 336 SWEETLAND DRIVE FROM R-1 RESIDENTIAL TO R-3 RESIDENTIAL PURSUANT TO CERTAIN RESTRICTIONS

WHEREAS, Charlotte Franklin, who owns the property, has petitioned the Red Bank Planning Commission and the Red Bank City Commission to rezone the property located at 336 Sweetland Drive, Hamilton County Tax Map 126C Group F Parcel 10, from R-1 Residential to R-3 Residential; and

WHEREAS, the Southeast Tennessee Development District planning staff recommended denying the request due to the small size of the lot and spot zoning concerns; and

WHEREAS, the Red Bank Planning Commission held an advertised public hearing on this matter on April 15, 2021; and

WHEREAS, the Red Bank Planning Commission heard and considered all statements favoring or opposing the requested rezoning including that of the Southeast Tennessee Development District planning staff; and

WHEREAS, the Red Bank Planning Commission on April 15, 2021 studied the petition in relation to existing zoning and land use and potential patterns of development and voted unanimously to recommend denying the rezoning,

WHEREAS, the City Commission, upon notice, held a public hearing in conjunction with the regularly scheduled Commission Meeting on May 18, 2021; and

WHEREAS, comments in favor of and comments opposing the proposed rezoning were heard and considered; and

WHEREAS, the City Commission, having studied the recommendations of the Southeast Tennessee Development District planning staff and of the Red Bank Planning Commission, finds that requested use, subject to the conditions below, would not have a negative impact on adjacent land uses, is a reasonable extension of existing zones in the area; and

NOW, THEREFORE, BE IT ORDAINED BY THE CITY OF RED BANK, TENNESSEE, AS FOLLOWS:

SECTION 1. The Zoning Ordinances and Zoning Maps of this City are hereby amended by conditionally rezoning from R-1 Residential to R-3 Residential, 336 Sweetland Drive, Tax Map Parcel No. 126C F 101, subject to the following conditions:

- (1) The only use permitted shall be a single-family home with a maximum of one (1) short term rental unit
- (2) The applicant has indicated an intention to use the property, if rezoned, as a short-term rental property; if any such short -term rental license should be revoked or lapses for more than 90 days, the zoning shall revert to R-1.

SECTION 2. All Ordinances or parts of Ordinances in conflict herewith are hereby repealed.

SECTION 3. The zoning maps of this city shall be amended so as to conditionally reflect R-3 Residential, but subject to the conditions listed in Section 1 for the property described herein above and that said maps make specific reference to this Ordinance, with the restriction noted on the zoning map.

SECTION 4. If the Owner does not accept the limiting conditions and restrictions within sixty (60) days next following approval on second and final reading, the Ordinance shall automatically become null and void.

SECTION 5. Every section, sentence, clause, and phrase of this Ordinance is separable and severable. Should any section, sentence, clause, or phrase be declared unconstitutional or invalid by a court of competent jurisdiction, said unconstitutionality or invalidity shall not affect or impair any other section, sentence, clause, or phrase.

MAYOR

CITY RECORDER

PASSED ON FIRST READING

PASSED ON SECOND READING AND FINAL READING

APPROVED AS TO FORM:

CITY ATTORNEY

ACCEPTED, ACKNOWLEDGED AND
AGREED AS TO THE LIMITING FACTORS,
CONDITIONS AND REQUIREMENTS HEREOF

CHARLOTTE FRANKLIN, OWNER/APPLICANT:

BY: _____
OWNER / APPLICANT

EXHIBIT A: PARCEL MAP

